



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,761	01/29/2001	Jeff A. Zimniewicz	MS160268.1	8645
27195 7590 06/21/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER YIGDALL, MICHAEL J	
			ART UNIT 2192	PAPER NUMBER
			MAIL DATE 06/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/771,761	ZIMNIEWICZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael J. Yigdall	2192	

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael J. Yigdall.

(3) Dave Noonan (Reg. No. 59,451).

(2) Jyoti Dave.

(4) \_\_\_\_\_.

Date of Interview: 14 June 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1,13,23,24 and 31.

Identification of prior art discussed: Noble, Kruger and Taylor.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant's representatives argued that in Noble, the "new release" replaces the "old release," and thus Noble does not teach that the new release "subsumes" properties (claim 1) associated with the old release. The examiner stated that in Noble, customizations made to the old release are incorporated into the new release and are in this way "subsumed." Applicant's representatives proposed amending the claims to limit these properties to ones that are related to dependency, such as the recited "reference count" property. Applicant's representatives and the examiner also discussed Kruger's teaching of a reference count. Applicant's representatives further argued that the "first" and "second parts" of the installation (claim 23) are different than Taylor's teachings, and proposed amending claim 13 to more particularly point out and distinctly claim the two parts of the installation. The examiner noted that language such as "the shared component being installed for each other dependent component during a second part of the installation" (claim 23) includes, for example, the case where there is only one dependent component. No agreements were reached. The examiner indicated that amendments to the claims requiring further consideration and/or search would not be entered after final rejection.

My

MS160268.01/MSFTP195US

 PTOL-413A (09-04)  
 Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: <sup>09</sup>40/771,761  
 Examiner: Michael J. Yigdall  
 (571)273-7529

First Named Applicant: Jeff A. Zimniewicz  
 Art Unit: 2192      Status of Application: Pending

**Tentative Participants:**  
 (1) Jyoti Dave      (2) Dave Noonan  
 (3) \_\_\_\_\_      (4) \_\_\_\_\_

Proposed Date of Interview: June 14, 2007      Proposed Time: 10:00AM (AM/PM)

**Type of Interview Requested:**  
 (1) ☒ Telephonic      (2) ☐ Personal      (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES      ☒ NO  
 If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) All	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

**Brief Description of Arguments to be Presented:**

Discussion on all rejections presented

An interview was conducted on the above-identified application on \_\_\_\_\_.  
**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).  
 This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Himanshu S. Amin/

Applicant/Applicant's Representative Signature

Himanshu S. Amin

Typed/Printed Name of Applicant or Representative

40,894

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.